

## NOT VOTING—29

Baesler	Klink	Rogers
Callahan	Maloney	Rohrabacher
Clinger	McDermott	Scarborough
Durbin	McNulty	Smith (MI)
Frank (MA)	Molinari	Torres
Frisa	Oberstar	Watts (OK)
Galleghy	Ortiz	Weldon (PA)
Gibbons	Oxley	Williams
Harman	Peterson (FL)	Wilson
Kingston	Petri	

□ 1944

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. WATTS of Oklahoma. Mr. Speaker, due to my plane being grounded as a result of stormy weather, I was detained for more than 3 hours. Unfortunately I missed the vote on H.R. 3415, a bill repealing the 4.3 cent increase in transportation motor fuels excise tax. Had I been present, I would have voted "aye" on rollcall vote No. 182, "aye" on rollcall vote No. 180, and "no" on rollcall vote No. 181. I also would have voted "aye" on rollcall vote No. 183, a bill recognizing the 10th anniversary of the Chernobyl nuclear disaster.

Mr. KINGSTON. Mr. Speaker, because of inclement weather, I was unavoidably absent for votes today. If the plane could have landed at the scheduled time, I would have been present to vote "yes" on ordering the previous question on H.R. 3415, "no" on the motion to recommit on H.R. 3415, "yes" on final passage on H.R. 3415, and "yes" on House Concurrent Resolution 167.

□ 1945

## PROVIDING FOR CONSIDERATION OF H.R. 3259, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1997

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 437 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 437

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3259) to authorize appropriations for fiscal year 1997 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with section 302(f), 308(a), or 401(a) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Permanent Select Com-

mittee on Intelligence. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill. The committee amendment in the nature of a substitute shall be considered by title rather than by section. The first section and each title shall be considered as read. Points of order against the committee amendment in the nature of a substitute for failure to comply with clause 7 of rule XVI, clause 5(b) of rule XXI, or section 302(f) or 401(a) of the Congressional Budget Act of 1974 are waived. No amendment to the committee amendment in the nature of a substitute shall be in order unless printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. The Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment. The Chairman of the Committee of the Whole may reduce to not less than five minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall be not less than fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Florida [Mr. GOSS] is recognized for 1 hour.

Mr. GOSS. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. BEILENSEN], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. GOSS asked and was given permission to revise and extend his remarks and to include extraneous material.)

Mr. GOSS. Mr. Speaker House Resolution 437 is a modified open rule that provides for the consideration of H.R. 3259, the Intelligence Authorization Act for fiscal year 1997. The rule waives sections 302(f), 308(a) and 401(a) of the budget act against consideration of the bill. These waivers pertain to: An excess above a committee's allocation of new entitlement authority; the necessary cost-estimate paperwork on this new entitlement authority; and contract authority not previously subject to appropriation. The waivers are needed because of provisions in two sections of H.R. 3259. Section 402 of the bill repeals the surcharge associated with CIA employees who receive a voluntary separation incentive payment in fiscal year 1998 and fiscal year 1999, correct-

ing a situation in which CIA was forced to make double-payments. Section 401 of the bill makes clear legislative authority for the CIA to enter into multiyear leases of not more than 15 years. These provisions are not considered controversial nor do they cause serious budget problems, according to CBO. The rule provides for 1 hour of general debate and makes in order the amendment in the nature of a substitute now printed in the bill as the base text for amendment under the five-minute rule. The bill shall be considered by title and shall be considered as read. The rule waives section 302(f) and section 401(a) of the budget act against the committee substitute, for the reasons I have already described. The rule also waives clause 7 of rule XVI, the so-called germaneness rule, and clause 5(b) of rule XXI, which prohibits consideration of legislation containing revenue provisions if not considered by the Ways and Means Committee. The germaneness waiver is necessary because the committee amendment in the nature of a substitute is broader in scope than the original bill, including provisions to improve our intelligence systems in light of lessons learned from the Aldrich Ames case and to ensure proper congressional oversight over the expenditure of funds for personnel reforms. These are important additions to the annual intelligence authorization process that deserve Members' careful review and support. The ways and means waiver is necessary because of a technical 1-year extension in the bill of the application of sanctions laws to intelligence activities.

Mr. Speaker: this rule is basically an open rule, meaning that all germane amendments that pass muster under the standing rules of the House may be offered. We have included a pre-printing requirement, however, at the request of the Intelligence Committee because of the sensitive nature of this legislation and a very real concern about protecting classified information. I'd like to respond briefly to a discussion we had in the Rules Committee with the distinguished ranking member of the Intelligence Committee, Mr. DICKS, about the timing of floor consideration of this bill. I share Mr. DICKS' interest in ensuring that Members who wish to have the opportunity to review the classified annex to this bill, and we have done what we can to provide that opportunity. Mr. DICKS should be pleased to note that there was a proforma schedule in the House yesterday and Members may file amendments in today's CONGRESSIONAL RECORD as well. We have attempted to accommodate all Members in this process, while adhering to a very tight legislative schedule we must keep if we are to conclude all of our business before our target adjournment in early October. Finally, the rule allows the Chairman of the Committee of the Whole to postpone votes during consideration of the bill and to reduce to 5 minutes a vote on a